

REMARKS

Claims 1-13 are pending in the application. Claims 7-12 have been withdrawn, claims 1-6 have been examined on the merits and claim 13 has been newly added herewith.

Claim Rejections - 35 U.S.C. §102

On pages 2 to 4 of the Office Action, the Examiner rejects claims 1, 2 and 4-6 under 35 U.S.C. § 102(e) as being anticipated by McFarland et al. (U.S. Patent No. 6,960,031).

Applicants respectfully traverse.

Claim 1 is allowable over McFarland because McFarland lacks several features of the claimed invention. For example, in rejecting claim 1, the Examiner equates the McFarland pin 612, encapsulant 120 and transmission medium 112 with the claimed alignment guide member, substrate and optical component, respectively. However, as seen from McFarland Figs. 1-9, and explained further below, these elements are not equivalent to the claimed features at least because the alleged McFarland substrate 120 is integrated with the alleged optical component 112 so that the McFarland alignment guide member 612 cannot meet the features of the claimed alignment guide member.

Claim 1 recites an alignment guide member fitted in a second recess and having a protruded portion protruding from the front surface of a substrate. The protruded portion is fittingly engageable in an alignment hole of the optical component. In McFarland, the optical component 112 is attached to the substrate 120. In fact, the Examiner asserts that the optical component 112 is and the substrate 120 are integrated so that when the alignment pins engage

the substrate they also engage the optical component. Accordingly, in McFarland the portion of the guide member fittingly engageable with the alignment hole is fitted to the substrate. In contrast, in the claimed invention, the portion of the alignment guide which is engageable in an alignment hole of the optical component is a protruded portion which protrudes from the front surface of the substrate. Since the fittingly engageable portion of McFarland guide member 612 is fitted to the substrate, it cannot be a protruded portion as claimed.

McFarland is also deficient because it does not teach a second recess formed portion 22 made of a material (for example, a resin layer) having a better machinability than the substrate material (for example, a ceramic), as recited in claim 1. The specification teaches that having a recess with machinability which is better than that of a substrate can reduce the ease or cost of a device (*see*, for example, the non-limiting embodiment at page 9, line 21 to page 10, line 2). Thus, a high precision hole for alignment with a substrate can be provided even though the substrate itself may not have the desired machinability.

The Examiner asserts that McFarland teaches a second recess formed portion being made of a material having a better machinability than the substrate material. However, the Examiner provides no support for this assertion. In fact, McFarland does not appear to teach anything regarding the relative machinability of its alleged substrate 120 and second recess 124. Furthermore, McFarland does not recognize the benefits of the material of a second recess having a greater machinability than the material of a substrate. Accordingly, claim 1 is also allowable because McFarland lacks a second recess formed portion with a machinability as claimed.

Claims 2-6 depend from claim 1 and are therefore allowable at least by virtue of their dependency.

Rejoinder

Independent method claims 7, 9 and 12 include all of the limitations of product claim 1. Therefore, should the Examiner find claim 1 to be allowable, Applicants respectfully request rejoinder of method claims 7-12 in accordance with the provisions of MPEP § 821.04

New Claims

Claim 13 has been newly added herewith in order to provide a more varied scope of protection. Claim 13 depends from claim 1 and is allowable at least because of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
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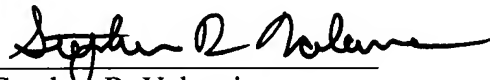
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